

REMARKSClaim Objections

Claim 28 has been amended to overcome the Examiner's objection.

Claim Rejections – 35 USC § 102

Claims 2 to 4, 10, 12 and 27 have been amended to clarify the features of the transaction engine, negotiation engine and negotiation profiles. The transaction engine is now defined as being "responsive to the commercial situation or state of the party to select the optimal negotiation profile appropriate to that situation or state", the negotiation engine is "able to generate bids and counter bids" and that the negotiation profiles determine "negotiation characteristics and requirements".

Applicants submit that Ojha does not disclose "a store of a plurality of negotiation profiles determining the negotiation characteristics and requirements" as recited in Claims 2 to 4, 10, 12 and 27. A negotiation profile therefore, is a set of rules which determine how the agent will act during a given negotiation or auction (see, for example, P43 Lines 19 to 20)

In Ojha, "for each rule, the seller defines a set of criteria and a set of actions to be taken when the set of criteria is satisfied" (Column 15 lines 36 to 38). However, Ojha only discloses that the seller may vary the criteria and actions by specifying new rules (see for example, Column 16 lines 34 to 67). Ojha does not disclose that the rules may be grouped and selected by an agent i.e. without human intervention according to the commercial situation.

Additionally, Applicants respectfully submit that Ojha does not disclose that the agent itself is able to take into account "the commercial situation or state to select the optimal negotiation profile appropriate to that situation or state" as recited in the independent claims. Rather, as discussed above in Ojha a person enters or alters rules on the transaction machine to vary responses to incoming bids. This can be a time

consuming process and may be difficult if the commercial situation changes quite rapidly.

Furthermore, Applicants have introduced the features of Claims 6 and 7 into Claim 5. On page 4 of the Office Action the Examiner has equated the buyer's software agent of Claim 6 with a computer in Ojha. Applicants respectfully disagree.

The software agents as claimed in Claim 5 include a transaction engine, negotiation engine and a store of negotiation profiles. Ojha only describes setting up rules on a seller's machine and not on any buyers' machine. For example, see Column 18 Lines 15 to 17 and lines 24 to 25 describe the buyer activating buttons and the description in relation to Figures 3 to 7. The skilled person on reading Ojha would not learn to allow a buyer to place rules on his computer but only to use an interface to manually select goods that he wishes to buy and enter bids and not to provide a software agent as claimed in Claim 5.

Applicants therefore, respectfully submit that Claims 2 to 4, 10, 12 and 27 are not anticipated by Ojha.

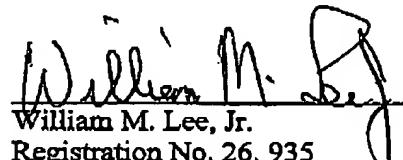
Claim 28 includes the feature of "selecting an optimal negotiation profile appropriate to the commercial situation or state of the party the negotiation profile being selected from a store of a plurality of negotiation profiles that determine the negotiation characteristics and requirements". Therefore, Applicants submit that for at least the same reasons given above Claims 28 are not anticipated by Ojha.

Applicants submit that Claims 8, 9, 13, 15 to 26 are not anticipated by Ojha at least by virtue of their dependencies.

Given the above, it is submitted that the application is now in condition for allowance, and such action is solicited.

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Respectfully submitted,



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